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General debate on national experience in population matters: assessment of the status of implementation of the Programme of Action of the International Conference on Population and Development

Statement submitted by Action Canada for Population and Development, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* E/CN.9/2014/1.



Statement

The present statement submitted by Action Canada for Population and Development is based on The Hague civil society call to action on human rights and the International Conference on Population and Development beyond 2014. Action Canada for Population and Development is a non-profit advocacy organization that seeks to enhance the quality of life of all individuals by promoting progressive policies in the field of human rights and international development, with a primary focus on reproductive and sexual rights and health.

We welcome the theme of the forty-seventh session of the Commission on Population and Development, "Assessment of the status of implementation of the Programme of Action of the International Conference on Population and Development". Many events have taken place to assess progress in the implementation of the Programme of Action. Declarations by civil society made throughout the review process have identified further actions required as well as new and emerging issues that must be acknowledged and addressed from a human rights perspective in the post-2015 development agenda. We reaffirm these declarations, including The Hague civil society call to action on human rights and the International Conference on Population and Development beyond 2014, which emerged from the International Conference on Population and Development International Conference on Human Rights, held in the Netherlands in July 2013, and the declaration of the Global Youth Forum, held in Indonesia in December 2012.

While much progress has been made, gaps remain in the implementation of the Programme of Action. Severe inequalities persist that are deeply rooted in inequitable gender hierarchies and patriarchal notions of the need to control women's and girls' bodies and sexualities. Despite commitments made in 1994 and during subsequent reviews, Governments continue to violate individuals' sexual and reproductive rights by establishing and upholding discriminatory laws, policies and programmes, limiting access to sexuality education and sexual and reproductive health services and perpetuating structural inequalities. These actions not only violate individuals' human rights, but also hamper their health and well-being and detract from the benefits associated with development.

In committing to the principles of the Programme of Action of the International Conference on Population and Development and the international human rights treaties, Governments have an obligation to repeal or revise discriminatory laws and policies that violate individuals' sexual and reproductive rights. This entails taking immediate steps to end the criminalization and other punitive regulation of consensual sexual activities, matters of reproduction and gender expression, including sex outside of marriage, same-sex sexual activities, voluntary sex work and activities related to such work, abortion, contraception, reproductive health information, and HIV transmission or status. Alongside the repeal of discriminatory laws and policies is the obligation to ensure that the legal and policy framework enables the realization of sexual and reproductive rights.

In realizing the right to health, Governments have the obligation to ensure the availability, accessibility, acceptability and quality of comprehensive and integrated sexual and reproductive health information and services and to remove any barriers that impede access to such services. To be available, integrated sexual and reproductive health information and services must be offered in well-functioning

facilities, with sufficient quantities and supplies. To be accessible, they must take into consideration physical location, affordability and other barriers related to stigma and discrimination based on age, gender, economic status, religion and marital status, among others. To be acceptable to the populations for whom they are intended, they must be gender-sensitive and youth-friendly. To be of the highest quality, they must be in line with quality care standards. In accordance with international norms and guidelines, sexual and reproductive health services and information must be provided with individuals' informed consent, with respect for confidentiality and without discrimination. Stigma surrounding services, including abortion, must be addressed through accurate education programmes; women and adolescent girls must be able to feel comfortable and safe accessing services that fully respect their bodily autonomy, privacy and confidentiality. A comprehensive package of information and services must meet the sexual and reproductive health needs of all and include the widest possible range of contraceptives, including emergency contraception, male and female condoms and other contraceptives; safe and legal abortion services; quality services for the management of complications arising from unsafe abortion; skilled birth attendance; emergency obstetric care; screening and treatment for sexually transmitted infections; HIV prevention, care and treatment; and prevention and treatment of infertility, maternal morbidities and reproductive cancers.

Programmes must be developed in accordance with the human rights principles of: universality and inalienability, indivisibility, interdependence and interrelatedness, equality and non-discrimination, participation and inclusion, and accountability and the rule of law. They must recognize the diverse needs and realities of those they are intended to serve. This means recognizing that structural inequalities related to gender, age, sexuality, ability, occupation, marital status, health status, ethnicity, geographic location and socioeconomic status, among other factors, limit access to sexual and reproductive health information and services and perpetuate harmful cultural and religious traditions, including early and forced marriage, female genital mutilation, dowry, polygamy and unpaid care work, as well as other human rights violations such as forced sterilization, forced abortion and forced contraception. Gender inequalities are prevalent. Owing to unequal and discriminatory power dynamics that perpetuate negative gender stereotypes and norms, women, girls and transgender individuals face heightened levels of poverty and lack of access to quality services and other resources such as education, as well as sexual and gender-based violence.

Realizing women's and girls' rights necessitates challenging inequitable sexuality and gender norms and promoting gender equality. It requires reformulating macroeconomic policies that perpetuate inequality, inequity and human rights violations and restrict the availability, accessibility, acceptability and quality of sexual and reproductive health services, and removing economic barriers that prevent people, particularly marginalized groups, from accessing sexual and reproductive health services. A commitment to realizing the rights of the most marginalized, especially women, adolescents and young people, persons having diverse sexual and gender identities, indigenous peoples, people with disabilities, people living with HIV, sex workers, Roma people, afro-descendants, dalits, people living in rural and remote areas and others, means guaranteeing sexual and reproductive health and rights as human rights.

In a world of 7 billion, 45 per cent of whom are below the age of 18, realizing young people's sexual and reproductive rights is critical to the achievement of the Programme of Action of the International Conference on Population and Development and broader development goals. It requires Governments to remove legal, political and regulatory barriers that hinder the empowerment of young people to exercise and claim their rights. Young people must also be able to realize their rights to education and to obtain information through youth-friendly, non-judgemental, scientifically accurate and comprehensive sexuality education, in both formal and informal settings, with supportive policy and legal frameworks in place, accompanied by teacher training, supervision and performance review mechanisms; young people and adolescents should be actively involved in the design, implementation, monitoring and evaluation of such programmes. All policy- and decision-making affecting young people must be done with their meaningful and effective participation.

Looking beyond 2014 to the formulation of the post-2015 development agenda, Governments must:

- Ensure the implementation of all human rights obligations related to the Programme of Action of the International Conference on Population and Development
- Promote equality by tackling the root causes of structural inequalities
- Eliminate inequality, stigma, discrimination and violence against individuals on the basis of their perceived sexuality, sexual orientation, health status, gender, marital status, occupation, ability, age, gender identity and gender expression
- Eliminate laws and policies that impose barriers to access to sexual and reproductive health services and information, including parental, spousal and guardian consent or notification laws and laws criminalizing or in any way restricting girls' and women's access to safe abortion services and post-abortion care, among others
- Ensure access to a comprehensive, accessible and integrated package of sexual and reproductive health services, information and education that is free from stigma, discrimination and violence and that fully respects privacy, informed consent and confidentiality
- Ensure that sexual and reproductive health services are youth-friendly and recognize, promote and protect young people's sexual rights as human rights, including their rights to bodily autonomy, integrity and pleasure
- Empower individuals to exercise and claim their sexual and reproductive rights as human rights.

Accountability must be at the core of the post-2015 development agenda. A commitment to accountability requires transparency and mechanisms to ensure the meaningful and effective participation of affected individuals and groups, including civil society organizations. In this regard, Governments have the responsibility to respect, protect, promote and fulfil the sexual and reproductive rights of all individuals, ensuring that they are aware of their entitlements. In doing so, they must take active steps to identify accountability gaps and address them through effective planning, adequate resources, and regular monitoring, evaluation, review and oversight.